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July 10, 2008 Via Electronic and U.S. Mail

California Energy Commission
Attention: Clare Laufenberg Gallardo
1516 Ninth Street
Sacramento, CA 95814
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RE: Renewable Energy Transmission Initiative (RETI) Phase 2A Draft Report

Dear Stakeholder Steering Committee,

The California Desert Coalition (CDC) is pleased to provide the following comments on the RETI Phase 2A Draft Report.

CDC is a citizen's advocacy group formed in 2007 to oppose the Los Angeles Department of Water & Power's (LADWP's) preferred alignment for its Green Path North transmission line project. Our support consists of over 5,000 citizens who have signed a petition in opposition to LADWP's preferred route. Additionally, the counties of San Bernardino and Riverside, as well as numerous cities in the Morongo Basin and Coachella Valley, have lined up in protest against this project alignment, passing resolutions of opposition to Green Path North. This route, which goes from Desert Hot Springs, up through the Morongo Basin, and terminates in Hesperia, lies outside federally designated corridors. CDC and our two county governments recommend that Green Path North be routed in existing energy corridors, such as an alternative alignment along Interstate 10.

We urge you to consider the following comments on behalf of the California Desert Coalition when finalizing the Phase 2a documents.

<u>Renewable Energy Goals Compromised by Lack of Representation in RETI</u>

The RETI Stakeholder Steering Committee (SSC) is dominated by industry representatives, and those stakeholders most affected by RETI decisions have been left out of the process. RETI purports to have representatives of landowners and environmental and public interest organizations, yet (1) there are no members of the SSC adequately representing San Bernardino and Riverside Counties, which are the target of most renewable energy applications; (2) no environmental organizations with direct desert expertise sit on the SSC; and (3) no citizens' organizations are on the SSC. Regarding the last item, CDC applied for a seat on the SSC in 2007 and was turned down.

By omitting those most affected by renewable energy development from the RETI planning process, RETI is ensuring long delays in project approval processes when these left out voices will finally be heard. These delays will compromise California's ability to meet its aggressive 33% by 2020 renewable energy goal.

RETI's Premise Undervalues Local Distributed Generation

RETI has as its premise that more long-distance transmission is needed to meet renewable energy goals. This belies the High Distributed Generation (DG) Case explored by the CPUC and published in its June 2009 report, "33% Renewables Portfolio Standard Implementation Analysis Preliminary Results." This case scenario is based on extensive, smaller-scale, renewable generation interconnected to the distribution system or close to transmission substations. The CPUC concludes that "a high DG strategy could facilitate achieving a 33% RPS in 2020 as well as mitigate some of the need for transmission and transform the market for solar PV technologies."

RETI has overstated the need for large transmission-dependent renewable projects. Conceptual transmission planning must admit to the concept that local distributed generation could play a key role in reducing the need for new transmission, meeting RPS goals, and preserving intact desert ecosystems.

Environmentally Responsible Siting

CDC recognizes the threat to the California Desert from global climate change and the importance of achieving the state's ambitious renewable energy goals while protecting its unique and sensitive resources. However, only when local distributed generation has been exhausted as the best environmental alternative do we support utility-scale renewable energy generation and transmission in the California Desert. In these cases, we urge RETI to utilize the siting criteria provided in the consensus environmental document "Renewable Siting Criteria for California Desert Conservation Area," which is attached hereto as part of our comments.

Green Path North

CDC questions the advisability of RETI including the Green Path North transmission project in its conceptual transmission planning. This project has not even entered the formal review process and will include a no action alternative when the project reaches that stage.

However, CDC is encouraged that RETI chose to use the Green Path North routing alternative A in its screening process. This is the CDC-recommended alternative alignment along Interstate 10 that follows an existing transmission corridor. This route could share or expand upon an existing Southern California Edison (SCE) right-of-way through developed areas. For this reason, it is not understandable that in Appendix D, the two segments that constitute this route, Devers to Victorville (foundation line) and Devers to Century, received an Environmental Concern rating of High.

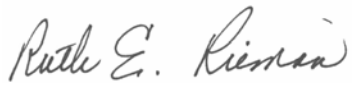
What is of major concern to CDC is that RETI has not made a commitment to proposing only those line segments and routes reviewed by the expert panels. In Appendix G, RETI describes Green Path North as having numerous alternative routings. Unless RETI intends to review and score all those alternatives, it should clarify that routes not reviewed are routes not proposed by RETI.

We specifically request that you abandon from consideration in your transmission planning the Green Path North preferred alignment, routing alternative C (and its extension D). This route would pass through 55 miles of public lands, most of it undeveloped and environmentally sensitive, including the Big Morongo Area of Critical Environmental Concern (ACEC). It would also traverse 30 miles of private property, including a nature preserve owned by The Wildlands Conservancy that was created by the donations of citizens with the intent of preserving the land in perpetuity. It is clear that this route would face severe legal challenges from environmental organizations, as well as from property owners who would challenge the eminent domain procedures that would be necessary to acquire this land. This route choice could not contribute to meeting California's renewable energy goals in a timely manner. Additionally, this route would require amending the California Desert Conservation Area Plan in order to establish a new designated corridor.

CDC concurs with RETI's recommendation that California planning authorities should "work closely with one another to identify, propose, study and approve joint IOU-POU projects, and eliminate barriers to joint use of such facilities." Specifically in the case of the Green Path North Project, LADWP, an unregulated POU, should work closely with Southern California Edison, a regulated IOU, to come to agreement on sharing transmission along the existing Interstate I-10 transmission corridor. This joint effort would contribute to RETI's transmission planning objectives, to California's renewable energy goals, and to CAISO's ability to operate a state-wide transmission grid.

Thank you for reviewing these comments in preparation for the final Phase 2A report and corresponding maps.

Sincerely,



Ruth E. Rieman, Vice Chair
California Desert Coalition

Attachment: "Renewable Siting Criteria for California Desert Conservation Area"

Audubon California
California Native Plant Society * California Wilderness Coalition
Center for Biological Diversity * Defenders of Wildlife
Desert Protective Council * Mojave Desert Land Trust
National Parks Conservation Association
Natural Resources Defense Council * Sierra Club * The Nature Conservancy
The Wilderness Society * The Wildlands Conservancy

Renewable Siting Criteria for California Desert Conservation Area

Environmental stakeholders have been asked by land management agencies, elected officials, other decision-makers, and renewable energy proponents to provide criteria for use in identifying potential renewable energy sites in the California Desert Conservation Area (CDCA). Large parts of the California desert ecosystem have survived despite pressures from mining, grazing, ORV, real estate development and military uses over the last century. Now, utility scale renewable energy development presents the challenge of new land consumptive activities on a potentially unprecedented scale. Without careful planning, the surviving desert ecosystems may be further fragmented, degraded and lost.

The criteria below primarily address the siting of solar energy projects and would need to be further refined to address factors that are specific to the siting of wind and geothermal facilities. While the criteria listed below are not ranked, they are intended to inform planning processes and were designed to provide ecosystem level protection to the CDCA (including public, private and military lands) by giving preference to disturbed lands, steering development away from lands with high environmental values, and avoiding the deserts' undeveloped cores. They were developed with input from field scientists, land managers, and conservation professionals and fall into two categories: 1) areas to prioritize for siting and 2) high conflict areas. The criteria are intended to guide solar development to areas with comparatively low potential for conflict and controversy in an effort to help California meet its ambitious renewable energy goals in a timely manner.

Areas to Prioritize for Siting

- Lands that have been mechanically disturbed, i.e., locations that are degraded and disturbed by mechanical disturbance:
  - Lands that have been "type-converted" from native vegetation through plowing, bulldozing or other mechanical impact often in support of agriculture or other land cover change activities (mining, clearance for development, heavy off-road vehicle use).[1]
- Public lands of comparatively low resource value located adjacent to degraded and impacted private lands on the fringes of the CDCA:[2]
  - Allow for the expansion of renewable energy development onto private lands.
  - Private lands development offers tax benefits to local government.
- Brownfields:
  - Revitalize idle or underutilized industrialized sites.
  - Existing transmission capacity and infrastructure are typically in place.

- Locations adjacent to urbanized areas:[3]
    - Provide jobs for local residents often in underserved communities;
    - Minimize growth-inducing impacts;
    - Provide homes and services for the workforce that will be required at new energy facilities;
    - Minimize workforce commute and associated greenhouse gas emissions.
- Locations that minimize the need to build new roads.
- Locations that could be served by existing substations.
- Areas proximate to sources of municipal wastewater for use in cleaning.
- Locations proximate to load centers.
- Locations adjacent to federally designated corridors with existing major transmission lines.[4]

High Conflict Areas

In an effort to flag areas that will generate significant controversy the environmental community has developed the following list of criteria for areas to avoid in siting renewable projects. These criteria are fairly broad. They are intended to minimize resource conflicts and thereby help California meet its ambitious renewable goals. The criteria are not intended to serve as a substitute for project specific review. They do not include the categories of lands within the California desert that are off limits to all development by statute or policy.[5]

- Locations that support sensitive biological resources, including: federally designated and proposed critical habitat; significant[6] populations of federal or state threatened and endangered species,[7] significant populations of sensitive, rare and special status species,[8] and rare or unique plant communities.[9]
- Areas of Critical Environmental Concern, Wildlife Habitat Management Areas, proposed HCP and NCCP Conservation Reserves.[10]
- Lands purchased for conservation including those conveyed to the BLM.[11]
- Landscape-level biological linkage areas required for the continued functioning of biological and ecological processes.[12]
- Proposed Wilderness Areas, proposed National Monuments, and Citizens' Wilderness Inventory Areas.[13]
- Wetlands and riparian areas, including the upland habitat and groundwater resources required to protect the integrity of seeps, springs, streams or wetlands.[14]
- National Historic Register eligible sites and other known cultural resources.
- Locations directly adjacent to National or State Park units.[15]

EXPLANATIONS

[1] Some of these lands may be currently abandoned from those prior activities, allowing some natural vegetation to be sparsely re-established. However, because the desert is slow to heal, these lands do not support the high level of ecological functioning that undisturbed natural lands do.

[2] Based on currently available data.

[3] Urbanized areas include desert communities that welcome local industrial development but do not include communities that are dependent on tourism for their economic survival.

[4] The term "federally designated corridors" does not include contingent corridors.

[5] Lands where development is prohibited by statute or policy include but are not limited to:

National Park Service units; designated Wilderness Areas; Wilderness Study Areas; BLM National Conservation Areas; National Recreation Areas; National Monuments; private preserves and reserves; Inventoried Roadless Areas on USFS lands; National Historic and National Scenic Trails; National Wild, Scenic and Recreational Rivers; HCP and NCCP lands precluded from development; conservation mitigation banks under conservation easements approved by the state Department of Fish and Game, U.S. Fish and Wildlife Service or Army Corps of Engineers a; California State Wetlands; California State Parks; Department of Fish and Game Wildlife Areas and Ecological Reserves; National Historic Register sites.

[6] Determining "significance" requires consideration of factors that include population size and characteristics, linkage, and feasibility of mitigation.

[7] Some listed species have no designated critical habitat or occupy habitat outside of designated critical habitat. Locations with significant occurrences of federal or state threatened and endangered species should be avoided even if these locations are outside of designated critical habitat or conservation areas in order to minimize take and provide connectivity between critical habitat units.

[8] Significant populations/occurrences of sensitive, rare and special status species including CNPS list 1B and list 2 plants, and federal or state agency species of concern.

[9] Rare plant communities/assemblages include those defined by the California Native Plant Society's Rare Plant Communities Initiative and by federal, state and county agencies.

[10] ACECs include Desert Tortoise Desert Wildlife Management Areas (DWMAs). The CDCA Plan has designated specific Wildlife Habitat Management Areas (HMAs) to conserve habitat for species such as the Mohave ground squirrel and bighorn sheep. Some of these designated areas are subject to development caps which apply to renewable energy projects (as well as other activities).

[11] These lands include compensation lands purchased for mitigation by other parties and transferred to the BLM and compensation lands purchased directly by the BLM.

[12] Landscape-level linkages provide connectivity between species populations, wildlife movement corridors, ecological process corridors (e.g., sand movement corridors), and climate change adaptation corridors. They also provide connections between protected ecological reserves such as National Park units and Wilderness Areas. The long-term viability of existing populations within such reserves may be dependent upon habitat, populations or processes that extend outside of their boundaries. While it is possible to describe current wildlife movement corridors, the problem of forecasting the future locations of such corridors is confounded by the lack of certainty inherent in global climate change. Hence the need to maintain broad, landscape-level connections. To maintain ecological functions and natural history values inherent in parks, wilderness and other biological reserves, trans-boundary ecological processes must be identified and protected. Specific and cumulative impacts that may threaten vital corridors and trans-boundary processes should be avoided.

[13] Proposed Wilderness Areas: lands proposed by a member of Congress to be set aside to preserve wilderness values. The proposal must be: 1) introduced as legislation, or 2) announced by a member of Congress with publicly available maps. Proposed National Monuments: areas proposed by the President or a member of Congress to protect objects of historic or scientific interest. The proposal must be: 1) introduced as legislation or 2) announced by a member of Congress with publicly available maps. Citizens' Wilderness Inventory Areas: lands that have been inventoried by citizens groups, conservationists, and agencies and found to have defined "wilderness characteristics." The proposal has been publicly announced.

[14] The extent of upland habitat that needs to be protected is sensitive to site-specific resources. For example: the NECO Amendment to the CDCA Plan protects streams within a 5-mile radius of Townsend big-eared bat maternity roosts; aquatic and riparian species may be highly sensitive to changes in groundwater levels.

[15] Adjacent: lying contiguous, adjoining or within 2 miles of park or state boundaries. (Note: lands more than 2 miles from a park boundary should be evaluated for importance from a landscape-level linkage perspective, as further defined in footnote 12).